

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: Michael Dan Keron) Case No. 08-14305-H
Debtor.) Chapter 13 Proceedings
) Honorable Arthur I. Harris

TRUSTEE'S MOTION TO DISMISS CASE FOR LACK OF FEASIBILITY

Now comes Craig Shopneck, the duly appointed, qualified and standing Chapter 13 Trustee herein, and represents to the Court that the confirmed Plan of the Debtor herein is not feasible, because it will not be completed within the sixty (60) month maximum period allowed under 11 U.S.C. § 1322(d).

Both the Debtor and the Debtor's counsel were notified by the Trustee, on or about May 12, 2009, that the Plan would not be completed within a sixty (60) month time period, and requested that they take steps immediately to resolve the problem.

Further, the Trustee represents that no action has been taken by the Debtor to remedy the feasibility problem as of the date of the filing of this motion.

As stated in 11 U.S.C. § 1307, the Bankruptcy Code provides that a case may be dismissed for "cause." While "cause" is not specifically defined, the Trustee believes that the failure of the Debtor to take steps to complete the Plan within a sixty (60) month period constitutes sufficient cause to dismiss the Chapter 13 case.

WHEREFORE your Trustee, being a proper party in interest, hereby moves this Honorable Court for an Order dismissing this case for cause, pursuant to 11 U.S.C. § 1307(c) of the Bankruptcy Code.

/S/ Craig Shopneck
CRAIG SHOPNECK (#0009552)
Chapter 13 Trustee
200 Public Square, Suite 3860
Cleveland OH 44114-2321
Phone (216) 621-4268 Fax (216) 621-4806
Ch13shopneck@ch13cleve.com

CERTIFICATE OF SERVICE

A copy of this Trustee's Motion to Dismiss Case for Lack of Feasibility was served electronically and/or by regular U.S. Mail this 12th day of August 2009, upon the following:

William J. Balena, Attorney for Debtor
511 W Broad Street
Elyria, OH 44035

Michael Dan Keron, Debtor
4817 Tanglewood Place
Lorain, OH 44053

/S/ Craig Shopneck
CRAIG SHOPNECK (#0009552)

CS/kb
08/12/09